

Defendant Pro Se Response for Jonathan Van Pelt filed 05-03-24 in TXSD

United States District Court
for the
Southern District of Texas

Honorable Judge George C Hanks Jr.

United States Courts
Southern District of Texas
FILED

Civil Action no. 4:23-cv-4482

MAY 03 2024

Nathan Ochsner, Clerk of Court

**Pro Se Response of
Defendant Jonathan Van Pelt**

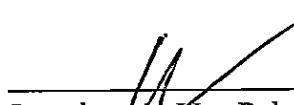
You Honor,

In the case brought against Jonathan Van Pelt, it is true that under **FACTS #6** of the underlying **Complaint to Foreclose Lien and Appoint Receiver** that I, Jonathan Van Pelt, did plead guilty to Count 1 of the referenced Information, willful failure to truthfully account for and to pay over employment taxes, in violation of Title 26 United States Code, Section 7202. Which in turn I was sentenced to 30 months in prison and then supervised release for a term of 3 years. I was released to home confinement after 14 months and subsequently released from Supervised release 2 years early by Judge Alfred H. Bennet for meeting and exceeding all required items asked of me.

- (1) In late February of 2023 I requested to speak with Anthony Franklyn, AUSA with the United States Attorney's Office – Southern District of Texas, in regards to the possible sale of the property located at 17017 Steinhagen Rd Cypress Texas 77429, which has been my Primary Residence since 2014.
- (2) Although Quality American Rentals for U LLC owns this residence, I am an original investor in the residence and I have been responsible for the updates, upkeep, and taxes on the residence for the last 10 years.
- (3) The residence has become too much of a financial burden to maintain, and knowing that there was a lien on the property, I contacted AUSA Franklyn to inquire about selling the property and splitting the proceeds so I could get into a smaller residence and more money could be paid toward my restitution amount. **At that time Mr. Franklyn verbally agreed to a 50/50 split of the property sales price.**
- (4) Unfortunately on the 1st of March 2023 I took a fall in my back yard, shattering 4 ribs on my right side and puncturing my lung in 3 places. I had to be life flight-ed to the Memorial Hermann Trauma Center, where I spent a week learning about what my body had gone through and would go through over the next year. I asked a friend of mine to contact Mr. Franklyn and explain what happened, which he did, and that I would follow up with him ASAP. I spent the remainder of 2023 recovering and failed to reach back out. For that I sincerely apologize.

- (5) In the interim Mr. Franklyn and the DOJ have now filed a civil lawsuit against me which states all proceeds from the sale of the property are to go towards restitution leaving me homeless.
- (6) I am currently 54 years old and have had had Parkinson's Disease for the last 30+ years. I've been under a neurologist's (Dr. Maya Schiess) care for almost that entire time. I have had 2 brain surgeries to assist with this debilitating progressive disease, as well as 2 back surgeries, a TIA, and the fall last year where I almost died. I am also diabetic and just had a triple bypass surgery on March 25th 2024.
- (7) As a result, I am now disabled and need to move into an ADA-compliant home so my wife and son (my caregivers) can assist me with the daily struggles of simply living. I cannot survive homeless.
- (8) Your Honor, given my equity stake in the property of the original purchase price, upkeep, and 9 years' worth of real estate tax payments, my request is that the Court cause the DOJ to honor its original agreement of a 50/50 split of the proceeds of the property in order that I may use those funds for purchasing a home as described above. I understand and agree that any newly-purchased property would have a lien placed on it until I pass away as a condition precedent. Please don't allow the government to make myself and my caregivers homeless.

Respectfully,



Jonathan A. Van Pelt
Defendant, Pro-Se
17017 Steinhagen Rd
Cypress, Texas 77429
(713) 302-1149
jonathanvanpelt@comcast.net